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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/796,752	02/06/97	ARAI	K 614.1804/HJS

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LM02/1124

EXAMINER
NGUYEN, P

ART UNIT	PAPER NUMBER
2739	7

DATE MAILED: 11/24/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/796,752

Applicant

Arai

Examiner

Chau T. Nguyen

Group Art Unit

2739



☒ Responsive to communication(s) filed on Sep 13, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 11 and 12 is/are allowed.

☒ Claim(s) 1, 2, 6, 7, 10, and 13 is/are rejected.

☒ Claim(s) 3-5, 8, and 9 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 7, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pirinen in view of the admitted prior art.

In U.S. patent No. 5,648,962 Pirinen discloses a time slot switch 105 which receives and distributes a high rate TDM signal (2Mbps), converts the high rate TDM signal into a plurality of low rate signals, and transmits the low rate signals from the transceivers in the form of RF signals (third signals). See Fig. 1, 2 and col. 3, line 65, to col. 4, line 43. Pirinen does not show transmitting the low rate signals to a terminal unit. As shown in Fig. 1 and described at pages 1-2 of the specification, the admitted prior art shows a hub and transmitting signals from a plurality of base stations to a terminal unit. To use the switch 105 of Pirinen for connecting the hub and the base stations of the admitted prior art would have been obvious to one of ordinary skill in the art because Pirinen explicitly suggests that the use of the switch 105 provides flexible allocation and release of radio channels (col. 1, lines 60-63).

As to claim 10, in the Pirinen system, the transceivers 107 108 receive low rate signals, and the multiplexer 104 converts the low rate signals to a high rate signal. To use the multiplexer and transceivers of Pirinen in the terminal station of the admitted

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prior art would have been obvious to one skilled in the art, and the motivation/suggestion for doing so would have been to obtain duplex transmission between the terminal unit and the base stations, as is common practice in the art.

3. Claims 11 and 12 are allowed.

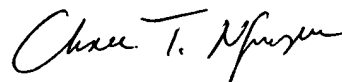
Claims 3-5, 8, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Applicant's arguments with respect to claims 1, 2, 6, 7, 10 and 13 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is (703) 305-0093.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen, can be reached on (703) 308-5340. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



CHAU NGUYEN
PRIMARY EXAMINER